## Ho. 31 Bond street Again. **BOLD GAME OF FRAUD EXPOSED.**

Mrs. Cunningham would be a Mother.

SHE IS CAUGHT IN HER OWN TRAP.

ADVENTURES OF A BOREOWED BABY.

Truth Stranger than Fiction

STATEMENT OF DISTRICT-ATTORNEY HALL.

EXPERIENCE OF DR. UHL.

An Apothecary Doing the Groaning.

STATEMENT OF DR. DE LA MONTAGNIE.

## SRAM ACCOUCHMENT IN BOND STREET.

THE BURDELL ESTATE CLAIMED FOR AN HEIR.

Arrest of Mrs. Cunningham and her Daughters.

ARREST OF HER ACCOMPLICE. SCENES AND INCIDENTS.

The public were set into a fever of excitement yesterday by the development of a new and bold maneuver in the complicated Bardell murder and property case, a plot so audacious and so deliberately carried out that it looks more like the romansic invention of a novel writer than the sober reality of actual experience. The history of the transac tion, fully and accurately detailed, is given in the following accounts by our reporters:

THE PLOT AND THE ACTORS.

While Mrs. Cunningham was confined in the Torabs, awaiting her trial on the charge of murdering Dr. Burdell, she sent for Dr Uhl, who had long been her regular family physician, to attend her. Dr. Unl, however to comply with her wishes uctil he obtained a written order from the District-Attorney, which was readily granted. Upon visiting her, she intimated that abe wished Dr. Uhl to prescribe for her as he would for any woman exhibiting smyptoms of being in the family way. Upon bearing this remark from her, Dr. Uhl interregated her as to her being enciente. Mrs. C., in reply, said that she could not then give any information on that point; nothing further was then said on the subject; but in the course of a conversation between Dr. Uhland Mrs. Foster, the matron of the City Prison. the latter observed that she had been given to understand by Mrs. C. that she (Mrs. C.) was likely to furnish an heir to the property of Dr. Burdell.

Although Dr. Uhl continued to visit Mrs. C. oc casionally, at the Tombs, nothing further of interes transpired; but after her trial and acquittal, and her return to No. 31 Bond street, she again requested the attendance of Dr. Uhl, alleging that she had symptom of pregnancy; and on one occasion she informed him ing her appreaching confinement. Dr. Uhl, not feeling exactly satisfied with the aspect of affairs, observed to Mrs. C. that in a case of this kind, where there has been so much notoriety given to everything connected with her, he should require several physicians who were well known in the community, to be present when the anticipated interesting event should occur; that she should be permitted to select them, and further, that it was of the utmost importance that these gentlemen whom he should call in consultation should be allowed to make an examination of her person at

the earliest possible opportunity. Mrs. Cunningham apparently acquiesced in Dr This suggestion, whereupon he mentioned to her the names of several eminent physicians he had selected for the purpose. From this time, Dr. Uhl perceived a inge in Mrs. Cunningham's bearing toward him, and she endeavored as much as possible to avoid having any conversation on the subject, and appeared r the examination of her person. circumstances naturally aroused the suspicions of Dr. Uhl that all was not exactly as it should be. He was induced to intimate the nature of his suspicions to one of the gentlemen connected with the case, and pressed upon the latter the importance of having the proposed ation made immediately, to know if all was right. The person alluded to, assured Dr. Uhl that all was straight in the matter, and that it was arranged for Dr. Catlin, of Brooklyn, and himself (Dr. Uhl), to attend her. [It may be proper here to observe, that up to this time, Dr. Uhl had no acquaintance with Dr.

Catlin. In the course of a few days, Dr. Uhl called again upon Mrs. Cunningham, when she confessed to him that she was not enciente, but that she should be ob-Biged to produce a child, even if it should not be her own, and solicited the assistance of Dr. Unl in the matter, for which service she promised to be quite Liberal in a pecuniary point of view. Dr. Uhl, apparently acquiesced in her plans, and without giving her answer or satisfaction, promised to again at an early day. Thus discovering that Mrs. C. had not only been deceiving him, but that she also proposed implicating him in her crimes, he proceeded to the office of his legal adviser, David E. Wheeler, esq., laid the facts of the case before him, and asked hi advice in the matter. Mr. Wheeler advised Dr. Util to remain quiet a few days and watch the proceedings and conduct of Mrs. Cunningham, and if any farther

progress was made in the fraut, to communicate with the District-Attorney.

This course was pursued. After stating the facts to Mr. Hall, Dr. Uhl remarked that he desired to make fidavit is the case and retire, as he skould then feel that he had done his duty to the public without appearing conspicuously in the matter. The District Attorney would not agree to this course on the part of Dr. Uhl, and insisted that the latter should aid him it every possible way in making a perfect job of the case. by lesuring the detection of the accused in the crime she then intended to commit. With the understand ing of having another interview in reference to thi matter at an early day, Dr. Uhl left and proceeded to consult with his legal advisor, some gentlemen of the medical profession, and other friends as to the course he ought to pursue in the matter, and, without a single exception, they not only urged but insisted that he do all in his power to further the ends of public justice, by assisting Mr. Hall. After mature deliberation, he uded to do so, and acted thenceforward under the District-Attorney's directions.

According to the suggestions offered by Mr. Hall, Dr. Uhl occasionally called upon Mrs. Cunningham and conversed with her relative to the approaching event. It was finally arranged that Dr. Catha o Brooklyn should attend her, and that Dr. Uhl should be called in to consult. In the course of a conversation between Dr. Uhl and Mrs. Canningham, the former inquired whether Dr. Catlin could be relied upon in the matter, or in other words, whether he could be intrusted with the secret, and in reply, Mrs. Cunningham assured him that such was the case... "For," ob-served she, "I have him completely under my

About the same time, in a conversation between De Catlin and Dr. Uhl, concerning the respective parts which they were to take in the approaching event, D.

having a fections accouchment from the beginning, and that he had done so because he thought she was an abused woman, who ought to be revenged; but he concluded that they needed another physician, and was pleased to find that Dr. Ohl had been selected.

It was finally arranged that the great event of pro-ducing an heir for Dr. Burdell's property should take place some time this week, and to Dr. Util was intrusted the task of hunting up the "little stranger." Things having advanced thus far, Dr. Uhl, secompanied by Dr. De la Montagnie, is brother in law of the District Attorney), immediately sallied out in quest of suitable apartments, of which they could obtain temporary occupation. Rooms were met with at No. 190 Elm street, and there, it was represented to Mrs. Cunningham, resided a married lady, who, during the absence of her hasband in California, had been rather easy in her manners, and was about to give birth to a child, which she, under the circumstances, would be glad to dispose of. The room was at once neatly furnished with furniture from the house of the District Attorney. The rooms were taken pos seesion of by Dr. Montagnie, under the name of Karl L. Herring, to correspond with the initials upon a trunk purporting to belong to the California widow.

All things being ready for action here, and the Belle vue Hespital farnishing on Monday a fine new born in-fant, it was resolved by those in the secret to bring matters to a crisis at once. Mrs. Cunningham was accordingly notified that the heir had been born, and could be obtained that evening Upon receiving this information, Mrs. C. said she would send a lady (whose name she refused to give) to look at the place so as to know where to go at a later hour. Dr. Uhl returned to No. 190 Elm street, and kept watch for the lady who was to be sent to reconnoiter the premises; and in a short time a person made her appearance, passed by and inspected the place. That lady, although i the disguise of a Sister of Charity, Dr. Uhl recognized as Mrs. Cunningham herself. As soon as she had left the neighborhood, Dr. Uhl again visited No. 31 Bond street, when Mrs. Cunningham called a lady, whom Dr. Uhl recognized as her sister (Mrs. Burns) into the room, and asked her if she was ready to go for the child, when Mrs. Burns asked for the dark dress, and Mrs. Cunningham told he where it was. It was then arranged between Mrs. C. and the Doctor that he should go to No. 190 Elm street, and wait at the front hall till the lady to be sent should come; and in order to avoid any mistake in the matter, the lady was to carry a white handkerchief in her hand. After waiting about fifteen minutes, the lady appeared who had previously reconnoitered the premises, carrying a white handker chief in her hand as agreed upon. The lady were a long, black dress, and hood or close bonnet, after the style worn by the Sisters of Charity-her face being ilmest covered; but from her manner, form and general bearing, Dr. Uhl again recognized her to be none other than Mrs. Cunningham herself. Dr. Uhl asked her if she had come for the child. She made no reply but followed him up stairs, where, in the room appro printed for her reception, lay snugly ensconced in bed with night-cap and other feminine apparel on, a certain well-known doctor or druggist of this city, impersonating the dear, sick lady—the California widow—who had just got through the pain and suffering consequent upon such an occasion. Mrs. C. got the basket containing the "little stranger" and hurriedly left the building. Dr. Uhl then started for home, leaving the parties to attend to Mrs. C.'s movements outside which plan of operation was most effectually carried

Dr. Uhl had been at home but a brief period, when he received a summons through a gentleman (a stranger) to repair immediately to No. 31 Bond street, as Mrs. Burdell was then suffering with labor pains. On arriving at the residence of Mrs. Cunningham, he was conducted to a darkened room, where Mrs. C. was in bed, and apparently suffering the pains of labor. Dr. Catlin and Mrs. Burns, sister of Mrs. Cunningham, were present. Dr. Catlin brought in a pail containing blood, with which the sheets were saturated; and, in due time, after considerable groaning and moaning the expectant heir was brought forth and transferred over to the nurse, one Jane Bell, who washed and dressed it, while the doctors went through the process of bandaging the suffering but delighted mother, who took occasion to exclaim, with much earnestness, that she had put her trust in God, and in return He had been pleased to favor her.

At this stage of the farce, Dr. Uhl left the hous and the case to the charge of others, who were or hand at the door.

All this farce of the birth was performed on Monday

night, between 11 and 12 o'clock.

STATEMENT OF DISTRICT-ATTORNEY HALL The first announcement of the expectation of an heir to Dr. Burdell was made in Judge Dean's speech be fore the Surrogate on the 3d of July. He used the

fore the Surrogate on the 3d of July. He used the following language:

"If it were true, that in the ordinary gestation, a child should be born to Harvey Burdeil, then not only all the ties of blood and nature, but all the dietates of humanity, demanced that the Court should lean in favor of that innecent unborn child, rather than in favor of those who had no direct claim upon the property. He would say nothing of the consequences of a decree of bastardy in advance. With consequences that had bathing to do." quences they had nothing to do."
Shortly after the 4th of July, Dr. Uhl, whose ac

queintance I had formed from his having been examining physician to the Coroners for some years autece dent to the present law in regard to them, and whom I have learned to regard as a very excellent physician. called upon me at my private office and said he had been sent by his counsel, David E. Wheeler, esq , to make a communication of great importance to me. He stated that he had been, as I was aware the medical attendant of Mrs. Cunningham prio to the murder and during the Coroner's in-quest, and at various times afterward. He said that he supposed that she presumed upon that to broach to him the subject of her approaching confinement and to intimate to him a wish that he should officiat as her assistant accoucheur. She was going to have Dr. Catlin, her own family physician, the same wh attended her first husband in his last sickness. [Dr Catlin is the man who swore on the trial that Mrs. Cunningham had rheumatism on the fingers of he right hand, which caused her sometimes to use he left hand. He was brought to the stand to disprove the theory of the prosecution, that the prisoner was

Dr. Uhl went on to say that he had promised to be come her attendent, and kad supposed himself engaged as such. A few days passed by, and it became neces sary for him to ascertain how she was progressing Her answers were not satisfactory, and his suspicion were comewhat excited. He therefore pressed his in quiries, and her answers were so contradictory as to ender him confident that something was wrong; in short he could not roast the conviction that she was meditating a fictitious delivery.

In this dilemma he went to his counsel and stated his case. Mr. Wheeler adviced him that it was his duty to see me on the subject, and suggesting to his that perhaps I knew something about the matter.

I told Dr. Uhl that I had understood that a certain doctor, whose name I had forgotten, had called upon one of the heire, and had stated that he was going to assist Mrs. Cunningham in her delivery, and could give them important evidence.

That statement rather corroborated Dr. Uhi's sus picions. He told me of the convertigous he had had with her, and that he was ready to make the neces

I told him that the proceedings before the Surrogate were closed, and it was no particular offense, that I knew of, for a woman to give out that she was in the family way; that it was often done; but I had no doubt in my own mind, from Dean's strong language before the Surrogate, that there was something in it. said to him that I thought he had a chance to put a wedge into the mystery of this complex crime of marrisge and murder, and that I thought he could consistently with his duty as a professional man and as a Catlin admitted that he had devived this scheme of citizen lend himself to the development of this thing; It was then agreed that Dillas and Montaguie

that extraordisory messar of detectivy since were remetimes taluable and necessary. I advised that he so her her, here what she is a local track here. go to see her, hear what she had to say, and, if pos-sible, enter into her plans, and without committing nimself to anything dishenorable or criminal, either it

pron ise or in immediate not. He said that he would like to reflect upon it, and is a day or two he called upon me and said he was said fled, that it was his duty to aid me in the matter. I then proposed to him that he should represent to Mrs. Cuaringham that he had a lady to be confined whose husband was in California and who was enceinte through an indiscretion which she was desireus of holding frem her husband-that che expected to be confined about the first of August, and was to sail for California in September, and would give up the child and ask no questions. I told his that Mrs. Cunningham would probably send for the child and it could be marked in such a way that it eculd be identified, and she be detected in the very act of a fictitious delivery.

He said that he was satisfied that she was a very shrewd, plotting woman, from his last conversation with her, and the plan might not work, but he would do his best. He went to see her and threw out some hints, upon which she told him the whole thing; that she was not in the family way, and he had better go and see Dr. Catlin. He did so, and told him the story of the California widow; Catlin swallowed it.

Almost every day Dr. Uhl would come and see n at my house, generally late at night; neither of us mertioned it to anybody else; it became advisable to have the confinement hurried; I had received an inti mation that possibly the Surrogate might decide the case by the middle of August, and thought we had better have it through.

He said I must see to providing the child, and I went to see Mr. George Kellock, jr., who, as Superintendent of Out-door Poor, is in the habit of receiving foundlings. He told me that that source of supply was very precarious, and in fact he could not furnish a ci ild without the consent of Govs. Smith or Townsend, the Committee on the Bellevue Hospital. I went to Washington Smith, and he told me that he would cantiously sound Warden Daly, who had charge of the Lying-in Ward. It was not until the 30th of July, last Thursday, that I broached the thing to any oneit was on that day that I spoke to Messrs. Kellock and Smith. On Saturday, Gov. Smith saw Daly. went to Smith's house on Sunday.

In the mean time I found that it was necessary to have the cooperation of a physician who was not known in this City. I therefore chose Dr. De la Montagnie, an old friend and classmate of mine and my personal physician.

On Sunday night Gov. Smith saw me and told m that he would give me a letter next morning which would produce everything necessary. He accordingly gave me a letter stating that the Dr. who would present it was to be trusted with a child.

On monday morning Dr. De la Montagnic and myself went to Warden Daly and were informed that two children had been born during the night; one of the mothers would not part with her child, but the other would.

We saw Dr. Uhl, who informed Mrs. Canninghan that the supposed California woman would be in labor that night; she prepared herself accordingly.

Unfortunately, Dr. Uhl had located her in Eln street, and he and myself searched for two hours on Monday morning, in that street, for furnished apartments, without finding any. At last we succeeded in discovering a parlor and bed-room. But they had to be fundshed. I did not dare to trust it to outside parties, and so sent a cart up to my house and had furniture sent down.

It then became necessary to take into my confiden some of the police. I was not able to see Gen. Tallmadge, and I understood that Deputy Carpenter wa nowell. But while thisking how I should find Inspectors Speight, Dilks and Hopkins, of the Twenty-first, Fifteenth and Third Wards, I met them a'l three to gether in Broadway, and made an appointment with them at 8 o'cleck at the Fifteenth Ward Station-

The furniture was got into the room not more than fifteen minutes before Mrs. Cunningham came into the street to reconnoiter, she having been told the No. 190. A respectable German named Veicer sells lager beer there. After her reconnoitering, Dr. De la Montagnie west to Bellevue, got the child with a nurse from the institution, and arrived at No. 190 Elm stree shortly after dusk.

It not being certain whether Mrs. Cunningham would come herself or send a messenger, or that she might Let want to look into the room, we got a friend of Dr. Uhl's, Dr. William N. Gilchrest, a druggist, at No. 621 Spring street, near by, to put on a night-cap and lie in bed and mean as if in all the agenies of after-birth. I and an old fishing basket, one of my own, with a small pillow in it, ready to put the child in to be given to the

lesserger. When these matters were all arranged, I returned to the Station-House, met the inspectors and told them all about it. They then conferred among themselve and agreed upon their course. Speight said he would spot Bond street, Hopkins would spot the alley leading to the stable in the rear of No. 31 Bond street and communicating with the premises, and Dilks said he would take his station in front of Burton's Theater, where the flood of light thrown over Bond street would enable him to see what transpired there.

They had not been stationed long before Speight saw a weman dressed in dark clothes descend from the steps of No. 31 Bond street and go to the Bowery. He followed her. She hailed a Fourth avenue ca and get in, and he got on the platform. He had no sooner got on than a friend spoke to him, saying:
"Why, that's Mrs. Cunningham!" He tried to turn it off, and said: "Oh, no! that's not her!"

At the corner of Broome and Marion streets Mrs. Cunningham got off; she had no basket then. Speight rode on a few steps and got off, and followed her. She went to No. 190 Elm street, and entered that

Meantime I had stationed Dr Moutagnie and Patro man Walsh on the other side of Elm street to watch.

Mrs. Comingham went up stairs and looked in The apothecary grouned satisfactorily: the nurse was ready with the baby and the basket; the basket was given her by Dr. Uhl with the proper amount of mystery, and she went down. The street is narrow, was rather dark in the moonlight, and Drs. Walsh and De la Montagnie, in their anxiety, did not see her come out; but they were soon satisfied, by the lights in No. 190 being out out and preparations being made to shift the scene, that she had gone. So they went through Prince street to the Bowery, and there they met a weman of her description with a basket, which Dr. De la Montaguie identified as my fishing-backetthe one which he himself had taken to No. 190 Eli street. He followed her to the stoop of No. 31 Bond street where he found Speight, and they both saw her go in at the basement door. Then Hopkins was recalled from his Bleecker-street station. He joined Speight and myself at the station-kouse, when we agreed to watch and spot everybody who should go in

They went round, and presently Speight saw a mes enger come out. He was disputched for Dr. Uhl Within an hour, the two physicians came. Dr. Uhl gave me the signal by coming into the Bond street House, where I was, in the public room.

Soon a gentleman and lady, supposed to be Mr. and Mrs. Wilt.—Mrs. Wilt is the lady who accompanied Mrs. Cunningham before the Surrogate-were seen to go ip. She staid, but he came out, and ran very quickly into Second avenue; was pursued by Speight; finally disappeared in a lagerbeer saloon there.

Next, Dr. Uhl came out and joined us on the corne of Broadway; he said that Catlin would be out shortly. He soon came, and was arrested by officers S. J. Smith and Wilson. He was pinioned, as we were informed that he had pistols. Of course, he manifested a great deal of surprise, and wondered what he was arrested for.

thrail go ite No. 3! Bodd dreet, and state that they and heard that a curious delivery had taken place here, and they wanted to see if it were all right, Two omen, the maid and another, osme to the door, and told them that Mrs. Cunningham was wick and could

not be seen. The women went up stairs, and the men followed Mrs. Cuppingham was in the second story front room, the room used by Dr. Burdell as a bedroom, and the one in which his corpse was laid out. One of the women said, "Mre. Burdell, here are two gentlemen want to see you." She said, "Shut the door; they can't come in." Dilks immediately went in and said, Madam, we don't wish to interrupt you seriously, but we have heard that you have been delivered under suspicious circumstances, and it is our duty to inquire." The light was then down; they turned it up, and saw by her side a sleeping infant. Dr. Montagni recognized it as the child he had carried to Elm street He had previously marked it with a little lunar caustic under each armpit and under each ear, marks which will not appear for some days. He also cut the umbil ical cord anew, and retied it with the edging of a pocket houdkerchief which there could be no mistaking. Dr. Montaguie said to Mrs. Cunningham, "Whose child is this?" Said she, "It is my child." He asked if it was the child of Dr. Burdell. She said, "Yes, o course! whose else could it be! I am his widow."

Almost immediately Dilks came down to the door I remained in the lower hall, and the police went up stairs. I was apprehensive that the child might be killed, and told him to take it away from her at all hazards. They attempted to take it away. She said: 'Don't take my baby !" and the women persisted in saying: "You must not take this baby; it is Mrs. Burdell's baby." One of the police asked: "Where is the basket that it was brought here in !" She said, 'There is no basket in the case." The police told he there was no use making any disturbance about it; the Doctors were arrested and everything was found out; that the child belonged to the Bellevue Hospital.

The hospital clothes had been taken from it, and new and elegant apparel, evidently made for the purpose, had been put upon it. In the back room—the room in which Dr. Burdell was murdered—the police found the remains of a lunch. The room had been newly painted and furnished. The walls of the hall which were stained with blood had been

She still persisted that she had been in labor, and was then suffering with after pains. The basket could not be found high or low. I saw that the police were in full possession, and about 2 o'clock I left

The after-birth that Dr. Montagnie brought from Beilevue Hospital, was there; a pail of bullock's blood was found and the theets were smeared with blood.

When the child was returned to Bellevue Hospital, its mother was delighted to find that it had such hand-

some clothing. The police acted admirably. Early this morning I called upon Superintendent Tallonadge and made a report to him. He declared that he was perfectly satisfied with the course I had taken.

DR. DE LA MONTAGNIE'S ACCOUNT.

Dr. De la Montagnie, a physician, who, at the Dis trict-Attorney's request, rendered important service in carrying out this plot and counterplot, yesterday made the following detailed statement of the affair to one of our reporters:

Dr. Uhl has been in attendance on Mrs. Cunningham, together with Dr. Catlin of Brooklyn (the man who testified so readily that Mrs. Cunningham had had rheumatism in her right hand), ever since her trial. He was inclined to be quite friendly toward her, and had been led to believe that she was soon to bear a child to Dr. Burdell. She went through the various external gradations of child-bearing-growing larger at d larger every week. About a month ago, Dr. Uhl remarked to her that although she was so near the time of child-birth, there was yet no positive evidence of presnancy, as it was, under the peculiar circum stances, important that there should be, and he there fore considered it his duty to make a medical examination in order to clearly establish the fact. Mrs. Cau-ningham said it would be well enough by-and-by, and constantly put him off. When by and by came she was still unwilling, and finally told him that it was all fol-de-rol, that she had not been pregnant at all; but she said, " You have helped me thus far, and now you must help me to carry it out, and I will reward "you handsomely." Up to this time Dr. Uhl had confidence in her, but this bold proposition took him aback. He told her he did not then see how he could help her, and when he left her went and consulted counsel, who advised him to lay the whole matter before District-Attorney Hall.

The Dector accordingly stated the case to Mr. Hall, who at once advised him to go and carry the thing out. He was still reluctant, but the District Attorney persuaded bim that it was his duty to do all in his power to develop a great crime, and he at last consented. Dr. Uhl then went to Mrs. Conningham and told her that he had in his hands a " California widow," who was about to be confined, and that it was necessary to dispose of the child irrevocably, as the lady was going to join her husband in California. Mrs. Cunningham was delighted. It was further arranged that Mrs. Cunningham was not to know who the woman was, nor the mother to know what became of the child. He told her that he had the woman at a house in Elm street, where she was to be confined. The thing had progressed so far when Mr. Hall stated the circumstances to me, and asked me to render my assistance when the proper time came. To this I assented, and having received a note, I came down yesterday morning. It was determined that I must provide the child from Bellevue Hospital. Accordingly I called at Bellevue, with a Lote from Governor Smith, and Governor Daly tole me that I might make my own selection. I found a pretty, blue-eyed little girl, daughter of Elizabeth Anderson, which was born on Saturday; and the mother consented that I should bring it away on condition that I would take good care of it and bring it back that night. Dr. Uhl met Mrs. Cunningham by appointment at 34 o'clock, and informed me that she was ready to carry out the thing, and expected to be confined that day. He was to meet me at 4 o'clock at his office, but I was too late for that, and met him at 5 o'clock at No. 100 Elm street, a lager beer saloon kept by a respectable German. Dr. Uhl said she had agreed to be confined that night if he could provide a child by 9 o'clock, in which case he was to go over and let her knew at 8, o'clock, and she would send a weman to bring away the child in a basket, which he was to provide. He said that after he left her h come to No. 190 Elm street, and a few minutes after his reture, as he was sitting on the window sil!, looking cut, he saw Mrs. Cunningham pass the house, looking at it as she passed along very intently, as if to spot it. We then concluded that it was necessary to expedite matters. We sent immediately to Mr. Hall's house and had all the necessary furniture brought down for the room we had engaged. Mr. Hall sent down a carpet, a bed, a table candles, some trunks, and other ferniture, not fergetting a basket for the baby. The great difficulty was to get an after birth, to complete the whole thing in order that Dr. Uhl might not be suspected. For this purpose I took a carriage and drove straightway to Bellevue Hospital again, leaving Dr. Uhl to arrange the furniture and take care of the baby. At the Hos-pital at 8 o'clock I got possession of the after-birth of another child, rolled up in a piece of silk oilcloth, and also obtained the services of an intelligent Irish girl named Mary Regan to personate the nurse of the California widow and the baby. A medical gentleman, who does not wish his name to appear, also consented for the fun of the thing, to act as the widow, lying in bed with a rightesp ou and doing the dismal groan He played his part charmingly, groaning terrifically when she came. With my load I drove as fast as possible to Elm street, fear-

ing the woman might get there before me,

Broome and Elm streets, and proceeded to the house,

Finding I was in due season, I went back and brought up Mary, the nurse. Dr. Uhl then burried over to Mrs. Curningham's to tell her it was all right. In the

that he is District Attorney of this county and been for several years acquainted with ir. Dawl Uhl, a physician of the city.

That shortly after the 4th of July, deponent we called upon by the said Uhl, who said he had a communication of some public importance to make, and desired the official advice of this deponent therespon.

That Dr. Uhl then rated that he had been the adviser of Mrs. Cunningham, otherwise called Bandal as her medical attendant, and had been shortly been asked by her to attend upon her confinement; has she had stated to him, the said Doctor, that he appeared to be delivered of a child by Dr. Harvey, hardell, deceased, in the course of the month of Algust prox; that said Dr. Uhl, observing by her appearance that she was ostensibly enciente, believed the said story, as he idformed deponent; that som after, having occasion to ask certain medical questions of her (as her the said Uhl, further stated to deponent, his suspicious by her enswers were aroused as to the validity of her story and that the tupon stating them to her, he was confirmed by her replies in his suspicious; that Dr. Uhl then stated to deponent that as asked that Dr. Uhl then stated to deponent that as asked the transport of the suid or t mean time Mr. Hall had pated a number of officers in indicious positions. Officer William B. Walsh of the Court of Sessions was stationed on the opposite side of Elm street, Inspector Speight was stationed near No. 31 Bond street, Inspector Hopkins at the alley in the rear on Bieecker street, and Inspector Dilks was posted in front of Burton's Theater, commanding a view of the whole of Bond street. While Dr. Uhl was gone the medical gentleman assisted me in removing the traces of the old umbilical cord on the child, cutting it very slightly, and binding it over with a piece of silk handkerchief. The medical gentleman then put on his night-cap and went to bed, ready to do the groaning. I marked the child slightly with nitrate of silver behind one ear, and in other places, and then went down stairs and stationed myself on the opposite side of the way, with Officer Walsh. We saw no one enter or leave the house, it was done so quickly and steakhily. In a

Deponent then stated to the said Dr. Uhl that is its official opinion his conduct was highly commendate, but that an allidavit at that stage would be of no arrivee, for no overt act sufficient in law toward a crime had been committed, and suggested to Dr. Uhl that for purposes of public justice he should listen to what Mrs. Cunningham had further to say, and should ostensibly lend himself to her plans to track the proposed crime; that the said Doctor at first strongly objected, but, after considering the subject, account to deponent's proposal; that deponent then was by the said Uhl placed from time to time in possession of certain facts which led to his obtaining a child from Hellevue Hospital, and, as deponent is informed and believes, to its production to various Individuals by the said Mrs. Cunningham as the child of Dr. Burdell another, the said Mrs. Cunningham as his wife, and as the heir of the said Burdell on his decrease left.

Deponent states that in everything which the said Dr Uhl has done he has noted with the advice and consent and at the suggestions of this deponent in his official capacity.

Deponent states that in everything which the said orsent and at the suggestions of this deponent in his official capacity. no affidavit.
Deponent then stated to the said Dr. Uhl that is a

few moments Dr. Uhl came back and stood in the

decreasy some time. He had on white pants and a

white hat. He then went in. About five or ten min-

utes after 9 o'clock he came across the way and asked

if we saw the woman go in or out. We said no; and

he said she had been there, and must have gone right

up Broadway to Bond street. Officer Walsh imme-

fiately hurried to Bond street and stationed himself

under the stoop of the house next door to No. 31. I

rode up Breadway to Bond street and com-

municated with Inspector Speight, who informed me that no woman had gone into the house. He said

a woman had gone out dressed in dark clothes; a man

had gone out wearing a white hat and white pants,

and a dark coat [Dr. Uhl], and immediately after another man had entered. I then went to the corner

of the Bowery to wait for the return of the woman with

the basket. In a little while I saw coming in the

distance a great basket, borne by a woman with dark

clothes, a very peculiar dress like that of a nun. I

walked close up to her, so near that I identified the

basket as the one that came from Mr. Hall's house,

which I had seen with a baby in it at the house No.

190 Elm street, twenty minutes before. I followed on

the other side of Bond street until I met Speight, and

said to him, "Do you see her?" "Yes," he replied,

that is the woman that went out and down to Elm

street." She west into the house and the door was shut.

I may as well mention here Inspector Speight's ad-

venture, as he related it to me. He said that when

he saw the woman come out of the house in Bond

street he followed ber at a distance, and saw her get

into a car in the Bowery. He then jumped in at the

other end of the car. The conductor came up to him

and said, "Halloo, Captain, that's Mrs. Cunningham,

aint it ?" One or two of the passengers heard the re-

mark and asked him to point her out; but he said

Oh no, that isn't the woman." She sat perfectly

motionless until they reached Spring street, when she

imped out without stopping the car. Speight fol

lowed her down to Fim street and down the west side

of that street, when she went into a lager beer saloon,

and he rode back to his post and waited till he saw

her return with the basket. He thought she

chose a very foolish dress-the nun-like dress making her very conspicuous. It had been arranged between

Mrs. Cunningham and Dr. Uhl that he was to go out

of his house before 9 o'clock, and she was to send for

him two or three times in hot haste. Accordingly Dr.

Uhl now went up to his house in Twentieth street,

where he found on his slate a very urgent call for his

immediate attendance at No. 31 Bond street. He then

returned and went into the house, which was closely

watched until midnight, the time agreed upon to get

through with the confinement. Dr. Uhl then came

out, and as he walked along with a friend whom he

had accidentally met in Broadway, some of the

officers watching arrested his friend, supposing

bim to be Dr. Catlin. Dr. Uhl then stated

that Dr. Catlin was expected to stay all night.

A consultation was then held as to the best way of

getting into the house without creating a disturbance

in the reighborhood. While this was going on Dr.

Catlin fortunately came out of the house, and officer

Wilson followed and prested him. [This Dr. Catlin

should not be confounded with one of the same name

living in Brooklyn. This is the one who testified so

readily on the murder trial that Mrs. Cunningham sewed with her left hand, because she had had rheu-

matism in her right. He attended Mrs. Cunningham's

husband in his last illness, and it is reported that Mrs.

C. has said that she had him in her power.] It was

discovered that Dr. Catlin was expected to return

shortly, and Mr. Hall then proposed that Capt. Dilkes and nyself should go in his place. We rung the bell eree, but it was not answered. We

then rang violently, and it was opened by two women,

understood that a doctor had been attending Mrs. Bur-

dell, who had been intercepted, and under the circum-

stances we thought that justice demanded a full inves

tigation of the case at once. They said Mrs. Burdel

was very sick, and must not be disturbed. One of the

women said the would go and see her, and we pushed

by the others and followed up stairs to the second story,

front room (Dr. Burdell's old bedroom). The womas

said, "Mrs. Burdell, here are two gentlemen who want

to see you. "Shut the door; don't let them in," she

cried in a very loud tone; but while this was going on

we elipped into the room. The baby was lying

on the bed by the side of the lady

and I recognized it at once by its features, as the one I brought from the Hospital.

There were two nurses in the room; the light was

drawn low, and there was some warm drink over

nurse lamp, which one of the women would occasion

ally feed to the patient, raising her gently. I examined

the baby closely, and fully recognized it. One of the purses took it up, and Dilkes said we had come to in-

vertigate the matter, and see if it was all right. Mrs.

Cunringham said she was very sorry to be disturbed

so. Dilkes then stepped out to bring up the other

'Harvey Burdell's child ?" She said: " Of course it

is. Whose e'se could it be? It is my own dear

'little baby." I said: "Let me look at it." She sb-

ected. I told her I was a medical man, and would not

hurt it. I wished to examine it. It was a very

nice baby, and no doubt it was all right

By this time all the officers had come in, so still that I

did not hear a step, and among them was the medical man who acted as the "California widow." I said to

im, "Let us untie this string, and see if it is the

same bit of bandkerchief we put on it a few hours

ago." Mrs. Cunningham shouted, "Don't disturb

it, let it alone." We then removed the bandages,

and found it was the same. Mrs. Cunningham was

evidently under the influence of opium, given to make

her lock pale the next morning, and had not appa-

rently recognized any one. The officers then said they

would arrest the whole of them, and the women de-

clared they would not be arrested. It was finally de

ided to leave one of the women in the care of Mrs.

Cunningham and take the other to the Station-House

Mrs. C. continued to grosn as if in pair, and to be fed

with warm drink, although the officers told her the game

was played out. She wanted to have her child back,

and one of the women gave it to her, when she bugged

it tightly to her breast. We thought she intended

to kill it, and two of the officers seized her arms and

puled them spart, when it rolled out on the bed. I

then took it out, and carried it back to the Hospital.

I gave it icto its mother's arms, about I o'clock in the

morning, where it still reposes. Governor Daly has

declared, that in view of the important part the child

has played to earry out the ends of justice, its name shall be "Justitia Anderson."

flicers, and in the meantime I asked her:

ho came down stairs and asked why we disturbed the house at so late at an hour. We told them that we

official capacity.

Deponent has no personal knowledge of any of the facts constituting the alleged offense, but makes the efficient, asking that an investigation may be had in

due course of law.

He charges, on information and belief, that the aid Mrs. Cunningham has committed the telocy of seducing an infant fraudulently, and falsely representing that it was the child of herself as Mrs. Bardell, the wife of Harvey Burdell, and of the said Harvey Burdell, now deceased, as its father, and therefore the heir of his estate, when in birth, and in fact, as deponent is informed and believes, the said child is the off-spring of one Elizabeth Anderson, an inmate of Bellevue Hospital.

vine Hospital.

The dependent requests that the following witnesses may be summoned, who will testify, as he is informed and verily believes, to certain facts now in connection with their names, briefly referred to viz., as follows:

Deter John De la Montagnie who produced the child, identifies it, and heard and saw it produced by Mrs. Cunningham, otherwise Burdell, as the child of Dr. Harvey Burdell, and herself as his alleged wife.

Inspector Speight, who saw the woman believed to Inspector Speight, who saw the woman believed to be Mrs. Cunningham h-reelf leave 31 Bond street to go after the child and return with it in a basket to the

The state that and tetrah who recognised Mrs.

A messenger in a rail road est, who recognised Mrs.

Cunni gham going down the Bowery on the night of the 3rd of August, whose name deponent is increased, but whom Inspector Speight knows.

Officers Walsh, S. J. Smith and Wilson of the Fifth Precinct, who made the arrest and heard the admissions of said Mrs. Cunningham as to the child.

Inspectors Dilkes and Hopkins who also were present at the arrest and actively engaged in if.

Dr. David Uhi who was present during the alleged

Dr. David Uhl who was present during the alleged

Dr. David Uhl who was present during the alleged delivery of Mis. Cunningham.

Dr. Walter B. Roberts, whe has as deponent verily believes) been informed by Mrs. Cunningham that she was enciente; also, Miss Hester Van Ness to the similar fact; also, Mr. and Mrs. Wilt to the same fact; also, Mrs. Dennison to the same fact; also, one lately a demestic in Mrs. Cunningham's family to the same effect, whose name deponent does not know; also, one Dr. Cadin, who has been arrested coming from the house on the night of August 3; also, the two nurses then arrested in No. 31 Bond street; and deponent prays that the person of Mrs. Cunningham be examined by matrons. Further, on his information and belief, deponent saith not.

Swom to before me this 4th day of August, 1857.

Wr. Davison, Police Justice.

AFFIDAVIT OF DR. DE LA MONTAGNIE.

Join De La Montagnie, being sworn, says that he is by prefession a physician, and resides at Flathiji Lending, Dutchess County; that on Monday, the 1d day of Angust inst, at the request of A Dakey Hall, esq., District Attorney of the County of New York (whose personal friend and family physician he has been for ten years past), he came to this city to assist Mr. Hall in the discovery of an alleged felony; that on the said day, in company with the said District Attorney, he had an interview with Timothy Daly, esq., Warden of Bellevue Hospital, upon the production of a letter from Washington Smith, esq., one of the Ten Governors.

then of a letter from washington Smith, esq., one of the Ten Governors.

That the said Timothy Daly furnished this deponent with a female child two days old, with the consent of its mother, and with the said child and a nurse he pre-ceeded to certain apartments, No. 190 Elmstreet. That there, on the evening of the said day, the said female child was marked by this deponent with lunar causita behind its left car and under the arms. Another de-ponent ited about the umbilical cord a minute edging

of a pecket handketchief.

That deponent then took a position on the side of Elm street opposite to No. 190 Elm street with William B. Walsh, a patrolman of Police to watch the said premises; that soon afterward about the hour of \$1. said premises; that soon afterward about the hour of 91 p. m., this deponent failing to perceive any person coming out went into the Bowery, and deponent saw, a woman in the Bowery on the blook between Bleecker and Bond street, coming up toward Bond street with a basket; that deponent passed very near to har but could not see her lace; she was dressed in dark clothes with a close hood on her head, that deponent recegaized the basket distinctly as one which deponent head that afternoon procured from the house of the District-Atterney, and which deponent had last seen twenty minutes previously in the premises No. 190 Elm street; that deponent next followed the said woman carrying the said basket around Bond street and the Bowery into Bond street, and enter upon the stoop of, and heard the door shut of the house No. 31 Bond street; that just before she stepped on the stoop deponent saw Inspector Speight of the Metropolitan Police to whom he had that day been introduced, and celled attention to the same, of the fact of entrance, and deponent is informed and believes that the said Inspector Speight saw the person enter the house.

That deponent afterwards, between 12 and 1 o'clock

and deponent is informed and believes that the asid Inspector Speight saw the person enter the house.

That deponent afterwards, between 12 and 1 o'clock at night, at the request of Inspector Dilks, went to house No. 31 Bond street, while the District Attorney, Inspector Hopkins and Speight, and Patrolmen Walsh, Smith at d Wilson were near by waiting for an opportunity to exter; that deponent and Inspector Dilks rang the door-bell, but there was no response given to the cell; deponent then rang violently, when the door was soon opened by the two women, who objected to our coming in, and asked what we wanted at such a lake hour of night; In spector Dilks and this deponent excreed themselves for the hour, and stated that we had intercepted a doctor, who had stated that there had been a delivery in the house, and Inspector Dilks said he had come to see if it was all right; one of the women said that Mrs. Burdell was sick and could not be seen; we then closely followed these women upstairs, and entered the upper second-story hall; one of the women looked into the front large room, and said, "There are two gentlemen here who want to come in;" a voice said from within, "Lock that door;" we then went into the room, and apologized to a lady in bid, whom deponent was informed and believes to the Mirs. Curpingham, otherwise called Burdell, and "very sick."

Deponent looked about the room and saw no one

"very sick."

Deponent looked about the room and saw no one in there but the two women and Mrs. Cunningham in bed, with an infant lying in bed with her, along-side of her and asieep; deponent went closely to the bed and examined the infant, and saw it was the same child he had that afternoon brought from Bellevue Hospital to 190 Elm street, as aforesaid; one of the women who said. "I am the turse," then took up the child and passed to the other side of the bed, and with it in her and said down.

ne sat down.
Dependent then said, "Bring the child to the light, in order that we may see it;" the nurse objected: Mrs. Curningham then put out her hands on the child and said, "No! no!" deponent then said, "I am a Curningham then put out her hands on the child and said, "No! no!" deponent then said, "I am a physician, come is by request of the authorities," or words to that effect, and then examined the child by the light, and saw by the face again it was the same child deponent had brought from Bellevue Hospital; shouly afterward, others of the police came up into the room and made arrests; but while they were coming up and Inspector Dilks had gone down to call them, Mrs. Cunningham was asked by deponent, "Do you claim this child as the child of Dr. Harvey Bardell?" and she said, "Of course, whose class should it be?" deponent further says that when the officers were up stairs, he heard her say, "Don't take away my dear baby from me!"

Deponent further states that he demanded, in the presence of the officers, to see the unbillial cord. Mrs. Cunningham and the narse objected, but after once perspacion courselled. Deponent then re novel

JUDICIAL PROCEEDINGS. During yesterday a number of affidavits in connec-tion with this remarkable affair were made before Justice Davison at the Jefferson Market Police Court. We present copies below:

We stopped with the earriage at the corner of A. OAKEY HALL'S AFFIDAVIT. A. Oskey Hall, being duly sworn, deposes and says,